

State of New York
Supreme Court, Appellate Division
Third Judicial Department
518-471-4777

SESSION CALENDAR FOR WEDNESDAY, APRIL 26, 2023

1:00 P.M. SESSION

LY CL A RE MS

BENCH POSITION: REYNOLDS FITZGERALD, J., CLARK, J., LYNCH, J.P., AARONS, J., MCSHAN, J.

Please notify the Clerk's Office at least 24 Hours PRIOR to argument of any changes to this calendar, including submissions and attorney changes.

When a cause is argued or submitted to the court with four justices present, it shall, whenever necessary, be deemed submitted also to any other duly qualified justice of the court, unless objection is noted at the time of argument or submission (Practice Rules of the Appellate Division, Rule 1250.1 [b]).

Calendar No.	Case No.	Title	Time Allocated
➤(1)	535737	MATTER OF SOUTHERN REALTY AND DEVELOPMENT, LLC v TOWN OF HURLEY <i>Appellant</i> - Andrew L. Lessig, Esq. Rodenhausen Chale & Polidoro LLP (Town of Hurley, et al.) <i>Respondent</i> - John J. Henry, Esq. Whiteman Osterman & Hanna (Southern Realty and Development, LLC, et al.)	10 10
(2)	535481	MATTER OF RICE v NEW YORK STATE GAMING COMMN. <i>Petitioner</i> - Andrew J. Turro, Esq. Meyer Suozzi English & Klein PC (Linda Rice) <i>Respondent</i> - Victor Paladino, Esq. Office of the New York State Attorney General (New York State Gaming Commission)	10 10
(3)	535261	MATTER OF NEW YORK STATE CORRECTIONAL OFFICERS AND POLICE BENEVOLENT ASSOC. v NEW YORK STATE DEPT. OF CORRECTIONS AND COMMUNITY SUPERVISION <i>Appellant</i> - Alexander H. Wynkoop, Esq. Lippes Mathias LLP (New York Correctional Offices and Police Benevolent Association, Inc.) <i>Respondent</i> - Andrea Oser, Esq. Office of the New York State Attorney General (New York State Department of Corrections and Community Supervision)	10 10

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Calendar No.	Case No.	Title	Time Allocated
(4)	534460	MATTER OF 61 CROWN STREET v CITY OF KINGSTON COMMON COUNCIL <i>Appellant</i> - Benjamin F. Neidl, Esq. E. Stewart Jones Hacker Murphy LLP (61 Crown Street LLC, et al.) <i>Respondent</i> - Matthew M. Jankowski, Esq. City of Kingston, Office of Corporation Counsel (City of Kingston Common Council, et al.)	10 10
➤ (5)	113556	PEOPLE v JOHN W. COLE <i>Appellant</i> - Terence L. Kindlon, Esq. The Kindlon Law Firm, PLLC (John W. Cole) <i>Respondent</i> - John B. Latella III, Esq. Saratoga County District Attorney's Office (The People of the State of New York)	10 5
(6)	535842	J.S. v MOTT <i>Appellant</i> - Henry M. Mascia, Esq. Rivkin Radler LLP (Amy Mott) <i>Respondent</i> - Jeffrey S. Sculley, Esq. Catania, Mahon & Ridler, PLLC (J.S.)	10 10
(7)	535803	MATTER OF AWAWDEH v AWAWDEH <i>Appellant</i> - Matthew C. Hug, Esq. Hug Law, PLLC (Nasser Awawdeh) <i>Respondent</i> - Lisa A. Burgess, Esq. [Assigned]	10 SUB
(8)	534501	R.A. v STATE OF NEW YORK	SUB

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Calendar No.	Case No.	Title	Time Allocated
(9)	535851	MATTER OF DAVID V. v ROSELINE W.	SUB
(10)	112195	PEOPLE v BRIAN S. DECKER	SUB
(11)	535359	MATTER OF CRAIG WW. v JACKLYNN WW.	SUB
(12)	112433	PEOPLE v KYLE A. IVES	SUB
(13)	535214	MATTER OF VELEZ v EGER HEALTH CARE & REHAB CTR.	SUB
(14)	534963	MATTER OF HARRIS v DEPARTMENT OF ENVTL. PROTECTION	SUB
(15)	CV-22-1920	MATTER OF UPDIKE v SYNTHES AND BROADSPIRE	SUB

► 535737 - MATTER OF SOUTHERN REALTY AND DEVELOPMENT, LLC v TOWN OF HURLEY
Panel: CL A RE MS

► 113556 - PEOPLE v JOHN W. COLE
Panel: LY A RE MS